

Union Calendar No.

118TH CONGRESS
1ST SESSION

H. R. 498

[Report No. 118-]

To amend title V of the Public Health Service Act to secure the suicide prevention lifeline from cybersecurity incidents, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2023

Mr. OBERNOLTE (for himself and Mr. CÁRDENAS) introduced the following bill; which was referred to the Committee on Energy and Commerce

APRIL --, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on January 25, 2023]

A BILL

To amend title V of the Public Health Service Act to secure the suicide prevention lifeline from cybersecurity incidents, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “9–8–8 Lifeline Cyberse-*
5 *curity Responsibility Act”.*

6 **SEC. 2. PROTECTING SUICIDE PREVENTION LIFELINE FROM**
7 **CYBERSECURITY INCIDENTS.**

8 *(a) NATIONAL SUICIDE PREVENTION LIFELINE PRO-*
9 *GRAM.—Section 520E–3(b) of the Public Health Service Act*
10 *(42 U.S.C. 290bb–36c(b)) is amended—*

11 *(1) in paragraph (4), by striking “and” at the*
12 *end;*

13 *(2) in paragraph (5), by striking the period at*
14 *the end and inserting “; and”; and*

15 *(3) by adding at the end the following:*

16 *“(6) coordinating with the Chief Information Se-*
17 *curity Officer of the Department of Health and*
18 *Human Services to take such steps as may be nec-*
19 *essary to ensure the program is protected from cyber-*
20 *security incidents and eliminates known cybersecurity*
21 *vulnerabilities.”.*

22 *(b) REPORTING.—Section 520E–3 of the Public Health*
23 *Service Act (42 U.S.C. 290bb–36c) is amended—*

24 *(1) by redesignating subsection (f) as subsection*
25 *(g); and*

1 (2) *by inserting after subsection (e) the following:*

2 “(f) *CYBERSECURITY REPORTING.—*

3 “(1) *IN GENERAL.—*

4 “(A) *IN GENERAL.—The program’s network*
5 *administrator receiving Federal funding pursu-*
6 *ant to subsection (a) shall report to the Assistant*
7 *Secretary, in a manner that protects personal*
8 *privacy, consistent with applicable Federal and*
9 *State privacy laws—*

10 “(i) *any identified cybersecurity*
11 *vulnerabilities to the program immediately*
12 *upon identification of such a vulnerability;*
13 *and*

14 “(ii) *any identified cybersecurity inci-*
15 *dents to the program immediately upon*
16 *identification of such incident.*

17 “(B) *LOCAL AND REGIONAL CRISIS CEN-*
18 *TERS.—Local and regional crisis centers partici-*
19 *ating in the program shall report to the pro-*
20 *gram’s network administrator identified in sub-*
21 *paragraph (A), in a manner that protects per-*
22 *sonal privacy, consistent with applicable Federal*
23 *and State privacy laws—*

24 “(i) *any identified cybersecurity*
25 *vulnerabilities to the program immediately*

1 *upon identification of such vulnerability;*
2 *and*

3 “*(ii) any identified cybersecurity inci-*
4 *dents to the program immediately upon*
5 *identification of such incident.*

6 “(2) *NOTIFICATION.*—*If the program’s network*
7 *administrator receiving funding pursuant to sub-*
8 *section (a) discovers, or is informed by a local or re-*
9 *gional crisis center pursuant to paragraph (1)(B) of,*
10 *a cybersecurity vulnerability or incident, such entity*
11 *shall immediately report that discovery to the Assist-*
12 *ant Secretary.*

13 “(3) *CLARIFICATION.*—

14 “(A) *OVERSIGHT.*—

15 “*(i) LOCAL AND REGIONAL CRISIS CEN-*
16 *TER.*—*Except as provided in clause (ii),*
17 *local and regional crisis centers partici-*
18 *parting in the program shall oversee all tech-*
19 *nology each center employs in the provision*
20 *of services as a participant in the program.*

21 “*(ii) NETWORK ADMINISTRATOR.*—*The*
22 *program’s network administrator receiving*
23 *Federal funding pursuant to subsection (a)*
24 *shall oversee the technology each crisis cen-*
25 *ter employs in the provision of services as*

1 *a participant in the program if such over-*
2 *sight responsibilities are established in the*
3 *applicable network participation agreement.*

4 *“(B) SUPPLEMENT, NOT SUPPLANT.—The*
5 *cybersecurity incident reporting requirements*
6 *under this subsection shall supplement, and not*
7 *supplant, cybersecurity incident reporting re-*
8 *quirements under other provisions of applicable*
9 *Federal law that are in effect on the date of the*
10 *enactment of the 9–8–8 Lifeline Cybersecurity*
11 *Responsibility Act.”.*

12 *(c) STUDY.—Not later than 180 days after the date*
13 *of the enactment of this Act, the Comptroller General of the*
14 *United States shall—*

15 *(1) conduct and complete a study that evaluates*
16 *cybersecurity risks and vulnerabilities associated with*
17 *the 9–8–8 National Suicide Prevention Lifeline; and*

18 *(2) submit a report of the findings of such study*
19 *to the Committee on Energy and Commerce of the*
20 *House of Representatives and the Committee on*
21 *Health, Education, Labor, and Pensions of the Sen-*
22 *ate.*